

Written Testimony of Michael Donnelly before the Joint Committee.

Date: February 5, 2014

Mr. Chairman, members of the committee:

Good Afternoon my name is Michael Donnelly. I am the staff attorney for Michigan affairs and director for international relations for the Homeschool Legal Defense Association (HSLDA). I am also an adjunct professor of government with Patrick Henry College where I teach constitutional law. HSLDA is a global non-profit association dedicated too defending the right of parents and families to home educate their children. We represent the interests of over several hundred thousand individuals in our member families as well as the interests of many others. We do not claim to speak for the entire homeschool community but we do speak for our members and a large proportion of that community.

Homeschooling continues to be a growing movement in the United States. Today over 2 million children are homeschooled with tens of thousands of families doing so here in Michigan. Today Michigan is one of the best states to homeschool in America where families enjoy a great freedom to teach their children without undue interference and regulation. This is one of the main secret ingredients to

the success of homeschooling in producing exceptional academic and social outcomes. Studies have shown that the three primary ingredients in student achievement are academic engagement, parental involvement and environmental stability which includes teacher capability. Another factor often cited is student teacher ratios. This actually supports academic engagement because in classrooms where the student teacher ratio is favorable more academic achievement can occur. In homeschools these factors are highly favorable explaining what credible research has found. That large segments of the population score well above average on standardized test of academic achievement.

The role of these factors in homeschooling success is one of the primary motivations that our organization has taken a leading role nationally to oppose attempts to further standardize educational processes and to further federalize education in our great country. In part we are concerned that the national environment created by a system permeated by the Common Core will naturally and over time create increasing hurdles that our students will have to face directly both in the college entrance but also the work force arenas. However we are also motivate to oppose Common Core because we care about more than just ourselves and our own parochial interests. We also care deeply about our

communities and our country. And we are concerned that the common core will harm both. At the outset I would also point out what I'm sure many on this committee know – that very recently the NY State Teachers Union representing 600,000 teachers, retired and active as well as other school professionals have unanimously withdrawn their support for the common core. I can't remember when HSLDA and the NY State Teachers Union ever agreed on anything. Just that ought to make policy makers wonder what is going on and look at this issue very carefully before committing resources to an increasingly divisive and controversial issue.

While we are hearing testimony about whether MI should adopt the SBAC assessment or retain the Michigan Educational Assessment. I note that this body hit the pause recently on common core to study the issue. In spite of significant opposition the legislature passed a joint house and senate resolution allowing common core implementation to move forward. I have been told that many legislators think that this was a final action that would put the issue to rest – basically saying that Come on now we've had the debate and now it's time to move on and come together to implement the program in the best way possible for Michigan. Others have candidly admitted that it is just plain politically impossible to repeal Common Core. Repeal is what our association along with

many others believe is in the best interests of our constituents but also for the citizens of Michigan.

While repeal probably isn't possible and the point of this hearing is to discuss the best implementation strategy regarding the SBAC assessment I am here to also tell you that the issue of repeal isn't going away. Nationally and at the state level opposition to common core both generally and specifically regarding the adoption consortium assessments is growing rapidly. My point is simply this, while the issue today is what assessment tool to adopt – you are going to continue to hear growing opposition to the common core generally this year and next and in subsequent years. The general population is waking up to the issue of common core is and the threat it presents to the education of their children and the debate is growing not diminishing.

There are reasonable, intelligent and articulate people on both sides of the issue who I admit and believe mean well. They articulate the pros and cons in a variety of ways and in my brief time here I would like to point out just a few facts and observations to help you grapple with the decision you face.

One of the great tensions you face as policy makers is your responsibility to provide for a cost effective and accountable system of education for the people of

Michigan. It would be silly to deny that we like systems that are efficient and economical. We like to be able to compare things easily. As policy makers and leaders we want to, appropriately, make informed decisions. That is why I can understand the appeal of the data collection and assessments strategies proposed by SBAC and the Common Core are appealing.

The assessments promise a way that states can compare themselves to each other. In our core we are competitive and like to compare ourselves to others to see how we're doing. If we can do better than other states we can point to that as an accomplishment and make Michigan more competitive. I understand notions.

However there is a tension. The tension is that on the other hand - children are not widgets. Although schools are too much like factories today, making them more like factories and treating children and teachers as workers on the assembly line and raw materials is not only inhumane it misses the larger point about what education is, who is responsible for it and what its purpose ought to be.

Am I saying that this is what common core does? Treat children like raw materials and teachers like assembly line workers where SBAC or PARC is the Quality Control Function on the product?

To be clear - Yes – I am.

While it is appropriate to assess quality and in any system this is necessary – especially where you are charged with the fiduciary duty of overseeing the expenditure of billions in tax payer dollars, standardized assessments like SBAC are quality assurance checklists that come at the end of the automotive factory line to make sure that the cars meet the quality standards of the company.

The proponents of SBAC talk about adaptive testing, they talk about college and career ready standards, and they talk about accountability and assessing teacher and student's performance based on these assessments.

They give lip service to involving teachers and parents but really, how much input have these groups really had in developing the common core itself or the assessments – not much. I suppose that is to be expected - because you can't involve too many people it would bog down the process. But what does that say about the process?

At the end of the day who is responsible for directing the education and upbringing of children? Is it a consortium? Or is it parents?

There is nothing inherently wrong with the legislature providing oversight and demanding a quality outcome in public education but the problem with adopting

common core in general and SBAC in particular is that this process moves accountability further away from those ultimately responsible – parents. The further you remove parents from the process the less parental involvement you have one of the primary contributing factors in student achievement, remember?

Adopting the SBAC assessment will also drive the curriculum and its content. One of the primary faults of the consortium driven assessment approach is that it takes any effective power away from parents and local governments and puts it in the hand of so-called educational experts to decide what should be measured driving curriculum and content and methodology.

If there is one lesson to learn from the success of the homeschooling movement it is that less standardization and more individualization is better.

When an education system recognizes the unique value of individuals and treats them as individuals rather than widgets, raw materials and assembly line workers, education can deliver on its true promise.

What is the true promise of education?

Is it the creation of informed voters or political operatives who will vote for your party? Is it the creation of skilled but dumbed down workers who are able to

operate machinery, swing hammers and compete in the “global economy”? Is that the goal of education?

I would suggest that the goal of education is to empower each individual to attain their highest level of human flourishing they can attain as they define it. It is a process that defies standardization and the kinds of controls and oversight that we may like but understand that over control kill creativity and undermines individuality. This common core approach treats teachers like assembly line workers, schools like factories and children as raw material.

I know this is Michigan the proud home to America’s automotive industry but I suspect you don’t really want to treat children like cars.

At least by retaining your own Michigan assessment scheme you slow the process of moving down this utopian path driven by those who seek to place control over education in the hands of a few away from local and parental control. At least you retain a Michigan influence over how you judge success and how you evaluate outcomes.

You know, the campaign to centralizing control and nationalizing our education system has been going on for a long time. It’s a process I’ve studied and one that I’ve observed not just here in the US, but around the world.

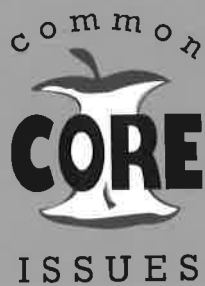
I've been to Helsinki Finland and met with the Former Director General Timo Lankinen and talked with him about of their schools. Finland, you know, ranks at the top of international assessments on education.

They have adopted an intentional policy of decentralization and parental involvement. They intentionally do not rank teachers according to the standardized achievement success of their students. They would say this is one of the secrets of their success. When you unlock the creative human potential of individual teachers and create a love of learning in children you create a powerful combination that yields those kinds of results. —Such a love for learning can only be cultivated by teachers who can teach as individuals, treating children as individuals and by parents who are truly involved. Continuing down this path of centralization will further crush the ability of teachers, parents and children, to treat each other and be treated as individuals.

If you do that, you condemn Michigan families to a gloomy educational future.

SBAC is a step in the wrong direction. As responsible policy makers I would urge you to avoid committing further to a course that is so divisive and uncertain. I urge you to keep what you have state control over assessment that offers more opportunity for parental and teacher involvement than what SBAC can ever hope

to offer. Thank you for kind consideration and I ask that my written testimony and brochure be made part of the record of this hearing if that is possible.



FREQUENTLY ASKED QUESTIONS



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Question 1: What is the Common Core?

The Common Core State Standards ("the Common Core") are two sets of K-12 academic standards that outline what students are expected to learn in English language arts and mathematics each year from kindergarten through high school. The goal of this checklist is not literacy, proficiency, or increased graduation rates but to make students "college-and career-ready."¹ The Common Core was written by the National Governors Association (NGA)—an organization of governors, their head staff members, and policy makers—and the Council of Chief State School Officials (CCSSO). States receive Race to the Top (RTTT) federal funding for committing to adopt and implement the Common Core and to collect student data from preschool through the workforce,

2013 COMMON CORE TIMELINE

June

● 2008

The Hunt Institute for Educational Leadership, which had received a \$2.2 million grant from the Gates Foundation the previous month to promote the adoption of national standards among governors, hosts a conference with the National Governors Association (NGA) to explore strategies to make the United States a global leader in education.¹

DURING 2008

NGA and the Council of Chief State School Officials (CCSSO) begin accepting grants from private organizations to write Common Core.²

DECEMBER 2008

NGA, CCSSO, and Achieve provide the incoming Obama Administration with *Benchmarking for Success* outlining the state adoption of a common core of internationally benchmarked standards and assuring that state textbooks, curricula, and assessments are aligned to these standards as two of the top five priorities.

RTTT

MARCH 7, 2009

The RTTT program is announced. Applying states must demonstrate their willingness and readiness to adopt common "college-and career ready" standards. (This was an "absolute priority" on the RTTT score sheet.)

JUNE 1, 2009

The Common Core State Standards (CCSS) initiative is launched, and 48 states sign a memorandum committing to the development of standards.

JANUARY 19, 2010

RTTT

The deadline for Phase I of RTTT.

SEPTEMBER 2009

The first draft of CCSS is released by NGA and CCSSO.

APRIL 14, 2010

RTTT

Stage II applications for RTTT funding requiring states to commit to adopt "a common set of K-12 standards by August 2, 2010" are due.

MARCH 2010

The second draft of CCSS is released.

AUGUST 2, 2010

RTTT

RTTT Stage II application revision deadline. Revisions must demonstrate each state's implementation efforts. Thirty-one states (and the District of Columbia) have already adopted the Common Core.

JUNE 2, 2010

The final Common Core State Standards are published.

DECEMBER 31, 2010

Ten more states have adopted the Common Core, and five more will join by the end of 2011.

2013-14

TARGET: All participating states will have fully implemented the Common Core into their curricula.

2014
to
2015

TARGET: States in consortia will administer new assessments.

1. Emmett McGroarty and Jane Robbins, "Controlling Education from the Top: Why Common Core Is Bad for America," A Pioneer Institute White Paper no. 87 (May 2012): 3.

2. Ibid.



2. Is the common core already being implemented?

The NGA released the Common Core standards on June 2, 2010. Since then, 45 states, four territories, the District of Columbia, and the Department of Defense Education Activity have adopted the Common Core State Standards. Minnesota has only adopted the English language arts standards. Alaska, Nebraska, Texas, and Virginia have refused to adopt the Common Core.

As the pedagogical weakness and ballooning implementation cost of the standards becomes evident, many adopting states are scrambling to delay or defund implementation.

3. How is the federal government involved in the Common Core?

Three sets of laws prohibit the federal government from prescribing the content of state curricula and assessments, yet the United States Department of Education has propelled the Common Core more than any other organization and is funding the creation of standardized assessments.² First, the department conditioned certain education grants on states' commitment to implement the Common Core.

Second, the department offered waivers from the most burdensome portions of the No Child Left Behind Act in return for states' promising to adopt the Common Core's college- and career-readiness standards and corresponding assessments.

Third, the department awarded millions of dollars to consortia of states to craft the assessments based on the Common Core.

4. Does the Common Core have a philosophical bias?

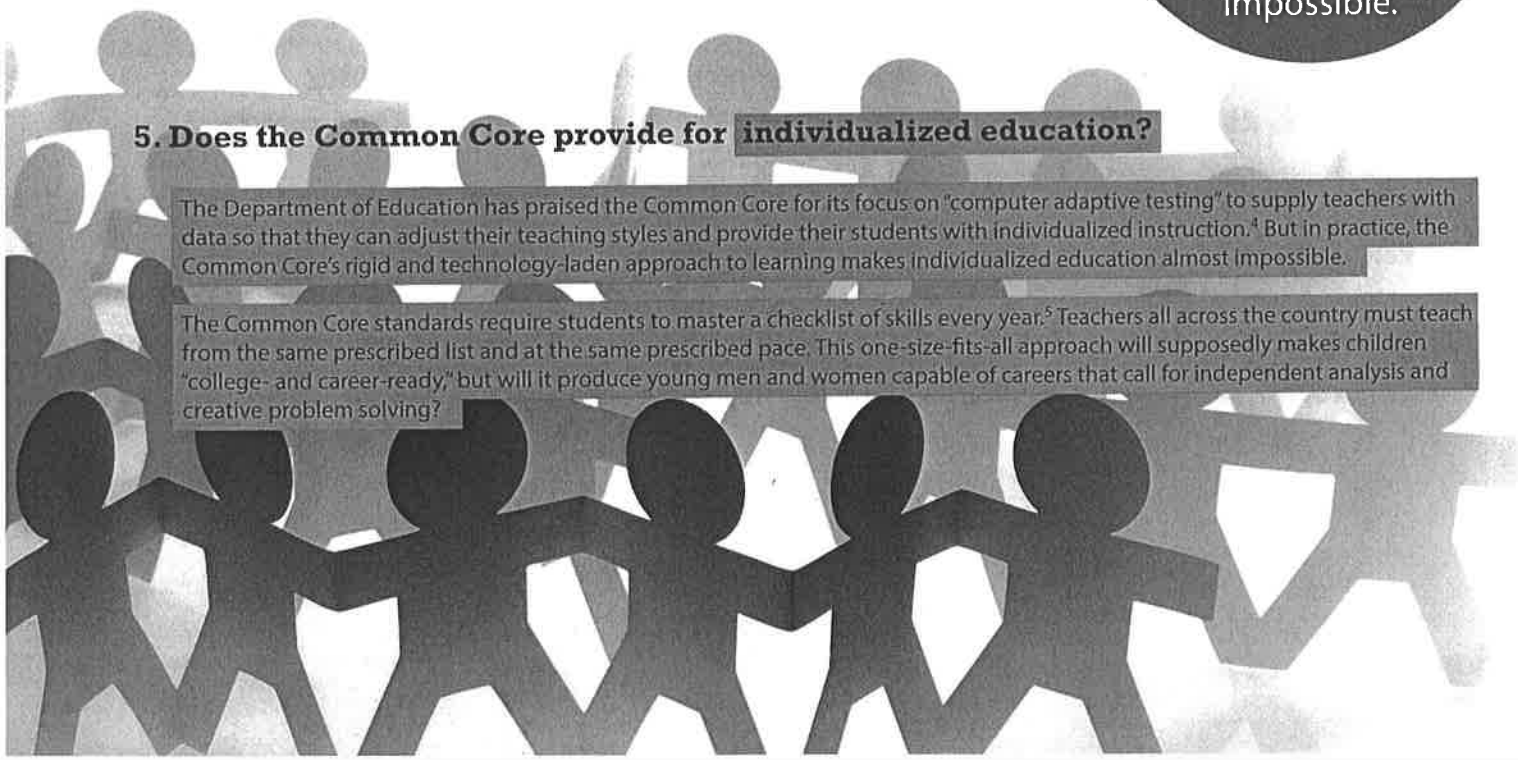
Three philosophical threads weave through the Common Core—statism, moral relativism, and progressivism. The statist goals of the Common Core are implicit in the lockstep uniformity that is the central thesis of the program. Relativism's influence on the Common Core is evident in the open-ended and research-based assessment questions and the expansive new student tracking systems, ideas which have been strongly promoted by relativist Howard Gardner. Progressive educator John Dewey argued for standardized curriculum to prevent one student from becoming superior to others and envisioned a workforce filled with people of "politically and socially correct attitudes" who would respond to orders without question.³ Workforce readiness is one of the Common Core's main goals.

The Common Core's rigid and technology-laden approach to learning makes individualized education almost impossible.

5. Does the Common Core provide for individualized education?

The Department of Education has praised the Common Core for its focus on "computer adaptive testing" to supply teachers with data so that they can adjust their teaching styles and provide their students with individualized instruction.⁴ But in practice, the Common Core's rigid and technology-laden approach to learning makes individualized education almost impossible.

The Common Core standards require students to master a checklist of skills every year.⁵ Teachers all across the country must teach from the same prescribed list and at the same prescribed pace. This one-size-fits-all approach will supposedly make children "college- and career-ready," but will it produce young men and women capable of careers that call for independent analysis and creative problem solving?



6. Is there any evidence that centralized education works better than decentralized education?

In the United States, experimenting with centralized reform has done almost nothing to improve the performance of students. From 1971 to 2008, American students' scores on the National Assessment of Education Progress (NAEP) mathematics assessments have only improved 3.4% and reading scores just 1%, despite billions of federal education dollars spent.⁶ In 2011, the Cato Institute found that the achievement gap between students of different socioeconomic backgrounds has not improved since the beginning of federal education spending in 1958.⁷

On the other hand, deliberate decentralization of education in Finland has produced one of the foremost systems in the world, with Finland's students ranking

at the top of international assessment charts in 2000, 2003, 2006, and 2009.⁸

The success of homeschooling in America offers domestic proof of the benefits of decentralized education. In 2013, Robert Kunzman of Indiana University and Milton Gaither of Messiah College reviewed 10 independent studies that found that homeschoolers outrank their traditionally schooled counterparts in collegiate grade point average, agreeableness, conscientiousness, and strength of religious and political views.⁹

The evidence indicates that the designers of the Common Core have chosen the worst possible approach to make students "college- and career-ready."

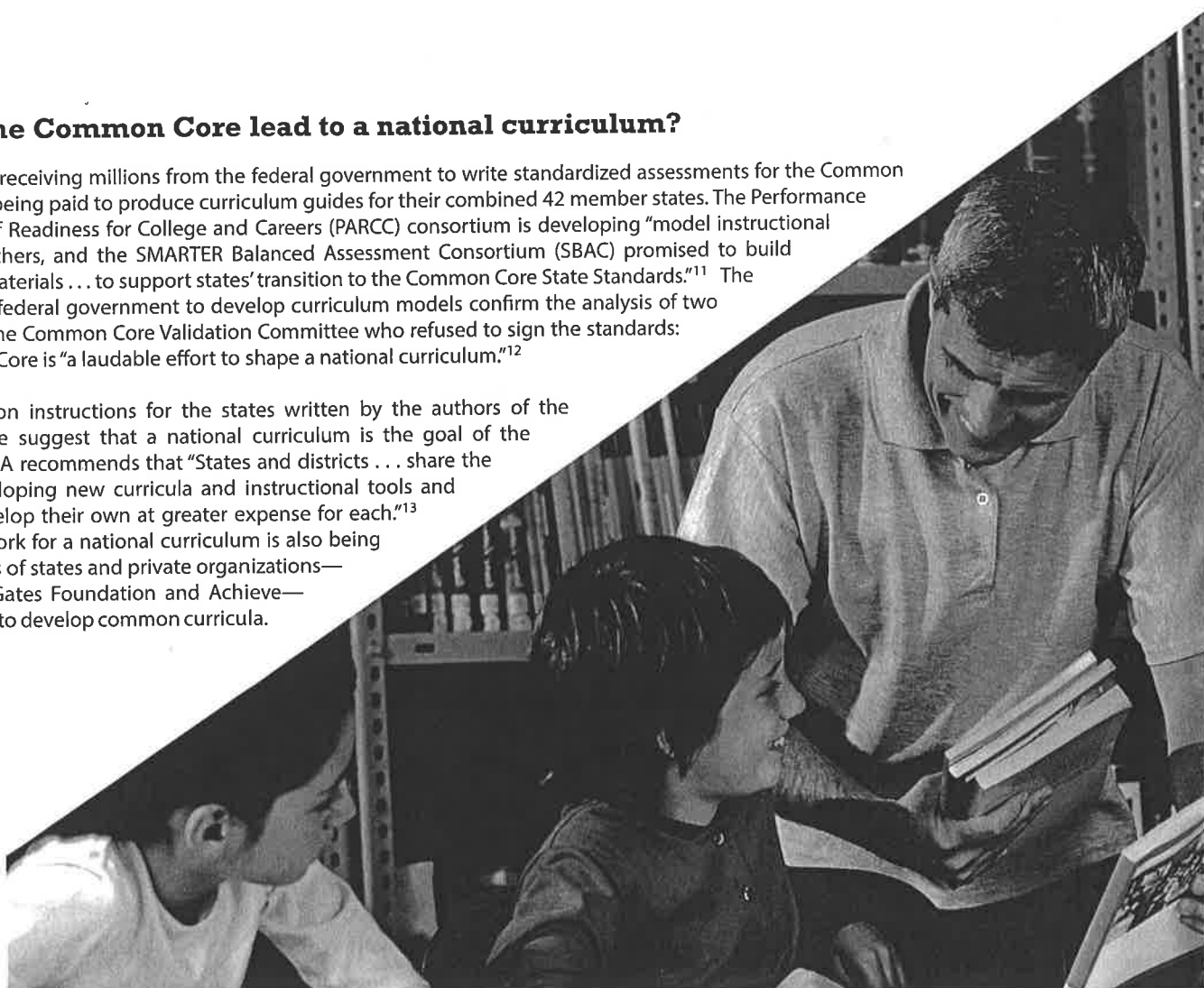
7. Will the Common Core impact homeschools and private schools?

The Common Core will impact homeschools and private schools in at least three ways. First, designers of the expanded statewide longitudinal databases fully intend to collect data about homeschool and private school students. Second, college admissions standards will be affected: Common Core standards for college readiness will be used by institutions of higher learning to determine whether a student is ready to enroll in a postsecondary course.¹⁰ Third, curriculum and standardized tests are being rewritten to conform to the Common Core.

8. Does the Common Core lead to a national curriculum?

The consortia receiving millions from the federal government to write standardized assessments for the Common Core are also being paid to produce curriculum guides for their combined 42 member states. The Performance Assessment of Readiness for College and Careers (PARCC) consortium is developing "model instructional units" for teachers, and the SMARTER Balanced Assessment Consortium (SBAC) promised to build "curriculum materials . . . to support states' transition to the Common Core State Standards."¹¹ The efforts of the federal government to develop curriculum models confirm the analysis of two members of the Common Core Validation Committee who refused to sign the standards: the Common Core is "a laudable effort to shape a national curriculum."¹²

Implementation instructions for the states written by the authors of the Common Core suggest that a national curriculum is the goal of the standards. NGA recommends that "States and districts . . . share the costs of developing new curricula and instructional tools and not each develop their own at greater expense for each."¹³ The groundwork for a national curriculum is also being laid by groups of states and private organizations—such as the Gates Foundation and Achieve—collaborating to develop common curricula.



9. Does it matter

that testing is being aligned with the Common Core? ●

Proponents of the Common Core, including U.S. Secretary of Education Arne Duncan, emphasize the need to imitate some countries with high-ranking education systems by creating consistent assessments across the country that measure student progress through open-ended and research-based questions.¹⁴ This has spurred the federal government to fund a set of nationalized tests aligned with the Common Core. Two consortia of states—PARCC and SBAC—received \$170 million and \$160 million from the Department of Education to craft standardized assessments. Additionally, the SAT, ACT, and GED will be redesigned to align with the Common Core, and the latest version of the Iowa Test of Basic Skills is based on the Common Core.¹⁵ Combined, the new assessments and revised tests will create de facto national testing.

10. Does the Common Core include a national database? ●

All 50 states have had statewide longitudinal databases in place to track their students' scores on assessments for the past decade. Yet the authors of the Common Core are clear: the success of the standards hinges on the increased collection of student data—including demographics and postsecondary education performance—from preschool through the workforce.¹⁶ States that have adopted the Common Core to receive Race to the Top funding and states that are members of the assessment consortia have committed to expanding their data collection. Additionally, in 2012, the U.S. Department of Labor announced \$12 million in grants for states to build longitudinal databases linking workforce and education data.¹⁷ And in 2013, the Department of Education unilaterally altered the Family Educational Rights and Privacy Act (FERPA) so that any government or private entity that the department says is evaluating an education program has access to students' personally identifiable information without parental notification.

The new data systems are not confined to public school students. FERPA does not currently protect homeschooling families in states where families must submit documentation of intent to homeschool.¹⁸

Massive new databases are already being built. In 2012, the Gates Foundation used \$17 million to launch inBloom, a company that has built a \$100 million database to track students from kindergarten through college.¹⁹ The databases identify students by name, address, and sometimes Social Security number. Combined with the changes to FERPA, the implementation of the Common Core is unleashing what is arguably the most comprehensive tracking of citizens that America has ever seen.

Success of the standards hinges on increased collection of student data.

11. Who supports the Common Core and why?

The support of liberals such as Joel Stein (former chancellor of the New York City Schools) and Michelle Rhee (former chancellor of the District of Columbia Public Schools) for the Common Core is not surprising. But several prominent conservatives are also backing the Common Core.

Supporters of the Common Core such as Chester E. Finn, Jr., president of the Fordham Institute, Jeb Bush, and Chris Christie contend that the Common Core will rebuild state standards that crumbled under the No Child Left Behind Act.²⁰ However, almost no independent evaluations of the Common Core by education experts have praised the academic rigor of the standards.

Backers also use the mobility argument, summarized by the NGA: "When a student moves from Utah (a member state of SBAC) to Arizona (a member state of PARCC), parents and teachers need to be confident that the understanding about a student's knowledge and skills gleaned from the state test means the same thing in both places."²¹ A devastating flaw in this argument is that it banks on the unstated premise of a national curriculum: gaps in education when a student transfers from a school in Vermont to a school in Texas can only be avoided if the same things are being taught at the same time across the entire nation.

The final argument—standardization—hinges on the premise that one textbook, or just a few aligned with the Common Core, would be an improvement over the numerous and varied textbooks available today. William Bennett, secretary of education under Ronald Reagan and founder of K12 Online Learning, adds a sociological component to the standardization argument by presuming that the common knowledge imparted by the Common Core will lead to more fervent national discussions.²²

12. Who opposes the Common Core and why?

Education professionals, policy analysts, and government officials center their critiques of the Common Core on four points.

First, the standards are academically deficient. Three of five members of the Common Core Validation Committee who refused to validate the standards have published reports condemning their academic merit. One of the reports concludes that the Common Core English language arts standards do not make students "college- and career-ready," arguing that the lack of literary material required by the standards does "not ensure . . . sufficient literary and cultural knowledge for authentic college-level work."²³ It also examines the Common Core mathematics standards, concluding that the Common Core leaves students one or two years behind the National Mathematics Advisory Panel's recommendations, the requirements of some states, and the standards of leading countries by students' 8th-grade year.²⁴

The second argument against the Common Core is that the standards will not repair the broken education system. Brookings Institute policy analyst Grover Whitehurst observes that high academic standards and high student achievement are not connected.²⁵ Statistics show that states with high academic standards score about the same on standardized assessments as states with low standards.²⁶

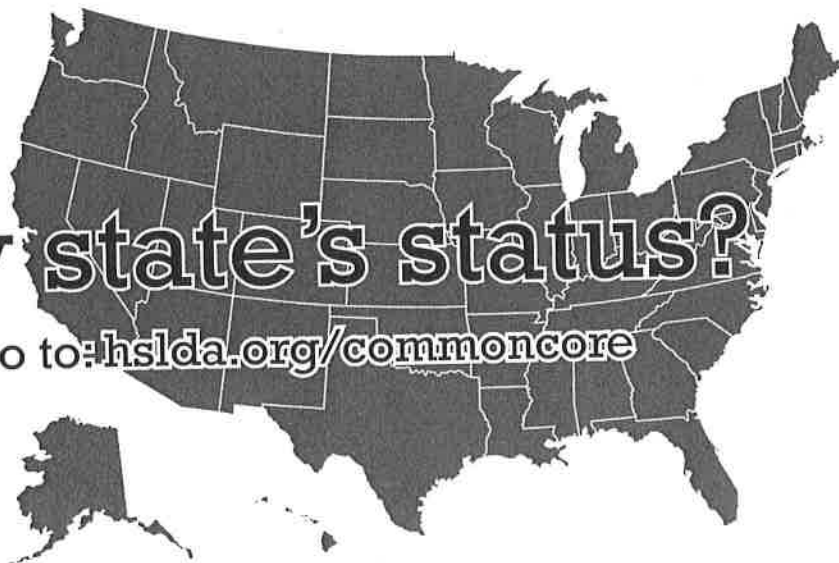
Third, critics of the Common Core condemn the way the standards are being implemented. Randi Weingarten, president of the second-largest teachers' union in America, and Diane Ravitch, an education historian who has pushed for national standards for years, criticize the government's use of RTTT funding to coerce states into adopting the Common Core.²⁷ Critics also point out that states will have a difficult time shouldering the cost of implementing the Common Core. While estimates for implementing the program range from \$12 to \$16 billion, the federal government has given states only \$4.35 billion.²⁸

Finally, members of Congress, U.S. senators, and the Republican National Committee oppose the Common Core because it has handed the education authority of the states to the federal government. Lawmakers have raised concerns about the Department of Education's unilateral revision of FERPA, its push for expanded state longitudinal data systems, and its close involvement in Common Core implementation.

State Consortia
Participation:

My state's status?

go to: hsllda.org/commoncore





.... **How do we stop the Common Core?**

HSLDA is actively working on this issue to protect homeschooling freedoms. But the Common Core can only be stopped if citizens in every state demand that their representatives block the standards. **What should you do?**

FIND YOUR LEGISLATOR
hsllda.org/findmylegislator

1. Contact your state legislators immediately.

Governors and boards of education have committed some states to the full implementation of the Common Core by the 2013–14 school year, but your representatives can still stop the Common Core. State legislatures can defund the implementation of the Common Core as the Michigan Legislature did. Or follow the example of the Texas Legislature and reject the Common Core by prohibiting school districts from basing curricula or tests on the standards.

Please inform your legislators of the dangers that the Common Core poses to educational freedom and ask them to defund or reject it.

2. Contact your federal representatives.

The Race to the Top program is still receiving money through annual resolutions passed by Congress. Ask your federal representatives to introduce or support legislation that will cut off further Race to the Top funding and stop the involvement of federal bureaucrats in education.

3. Spread the word.

Inform your friends about the dangers of the Common Core and ask them to join you in speaking out against it. Go to the website below for infographics and other tools for sharing.

4. Stay in touch with HSLDA.

We are monitoring the status of the Common Core in every state, and will alert you to important legislation pending in your state. You can sign up for HSLDA updates at hsllda.org/elert.

• • • ● For tips, talking points, and sample letters, go to hsllda.org/commoncoreaction

Endnotes

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14. Duncan, "Beyond the Bubble Tests."
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